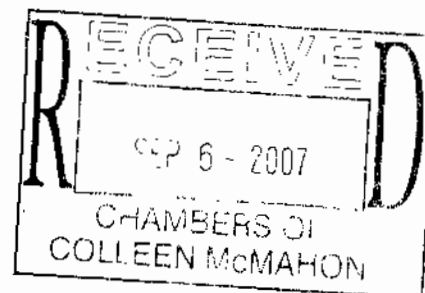


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September 6, 2007

By Facsimile at (212) 805-6326

Hon. Judge Colleen McMahon
United States District Court, SDNY
Daniel Patrick Moynihan, United States Courthouse
500 Pearl St., Room 640
New York, NY 10007

Re: Carol Alt v. Ronald Greschner, Index No. 07 CIV 6004

Dear Judge McMahon:

This firm represents Plaintiff Carol Alt in the above-captioned matter. On August 24, 2007, Defendant Ronald Greschner filed a motion to dismiss the Complaint pursuant to FRCP §§ 12(b)(1) and 12(b)(3) ("Defendant's Motion").¹

Today, upon conferring with counsel regarding the Order (Re: Scheduling and Initial Pretrial Conference), it came to our attention that this firm was missing several pages (and indeed apparently had an outdated copy) of the Court's individual practices. Notably missing were the pages containing the timing that opposition and reply papers were due on the motion to dismiss. As the Notice of Motion did not contain a return date, and as the individual rules that this firm had stated that Chambers would contact the parties regarding scheduling of motions, we did not realize that Plaintiff's opposition to Defendant's motion is due tomorrow (assuming the first attempted, but failed, filing of the motion is controlling).

As a result of this ministerial error, Plaintiff requested a two-week extension to file her opposition to Defendant's motion (to September 21, 2007). Counsel for Defendant consented to this extension, and there has been no such prior request.

Finally, in light of the fact that Defendant's motion is not yet fully briefed due to the above ministerial error, both of the parties respectfully request an adjournment of the conference currently scheduled for tomorrow (September 7, 2007 at 12:00 pm.), to a date to be determined by the Court.

¹ Said motion, having been incorrectly filed with the Court, was re-filed on August 30, 2007.

Hon. Judge Colleen McMahon
September 6, 2007
Page 2

We respectfully request the Court to So Order this letter which will serve as the Parties stipulation to adjourn Plaintiff's time to serve and file its opposition to Defendant's Motion and adjourn the Court conference.

Please feel free to contact counsel and myself to discuss this matter.

Respectfully Submitted,



Jordan M. Kam

Cc: Nancy Ledy-Gurren, Esq.
Counsel for Defendant